

JOHN J. SAUNDERS, ADMINISTRATOR.

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LETTER FROM THE ASSISTANT CLERK OF THE COURT OF CLAIMS  
TRANSMITTING A COPY OF THE FINDINGS FILED BY THE COURT  
IN THE CASE OF JOHN J. SAUNDERS, ADMINISTRATOR OF HENRY  
S. SAUNDERS, DECEASED, AGAINST THE UNITED STATES.

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JANUARY 4, 1904.—Referred to the Committee on War Claims and ordered to be  
printed.

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COURT OF CLAIMS, CLERK'S OFFICE,  
*Washington, December 30, 1903.*

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings of fact filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883, known as the Bowman Act.

I am, very respectfully, yours,

JOHN RANDOLPH,  
*Assistant Clerk Court of Claims.*

HON. JOSEPH G. CANNON,  
*Speaker of the House of Representatives.*

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[Court of Claims. Congressional, No. 10129. Henry S. Saunders *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Henry S. Saunders, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed October 27, 1902.

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[Court of Claims. Congressional case No. 10129. John J. Saunders, administrator Henry S. Saunders, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States, for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims, House of Representatives, on the 27th day of March, 1900.

On a preliminary inquiry the court, on the 27th day of October, 1902, found that the person alleged to have furnished the supplies or stores, or from whom they were

alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 7th day of December, 1903. Dudley & Michener, esqs., appeared for claimant, and the Attorney-General, by F. W. Collins, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition in substance makes the following allegations:

That he is a citizen of the United States and a resident of the State of Kentucky; that he is the sole owner of the claim herein sued upon, no assignment thereof or of any portion of the claim ever having been made; that from about February to September, 1865, the claimant's decedent lived upon and farmed about 15 acres of land in Jefferson County, Ky., about 1 mile east of Louisville, which he rented from Mrs. Elizabeth Gault at a cash rental of \$500 per annum; during a part of May, the whole of June, and a part of July, 1865, several thousand soldiers of General Sherman's command encamped on and adjoining the land described; when the soldiers took possession of the land it was surrounded by a pine fence, four planks high, and the petitioner had in crop on the land 1 acre in onions, 1 acre in tomatoes, 6 acres in Irish potatoes, and 1 acre in sweet potatoes, all of which were ripening when the soldiers took possession or ripened during their occupancy of the land. During their occupancy of the land the soldiers appropriated to their own use as fuel or food the following items of property:

1,728 feet in length of plank fencing, consisting of 5,184 feet of white pine lumber, worth, at \$35 per thousand.....	\$181.44
217 cedar posts, worth, at \$0.50 apiece.....	108.50
1 acre of onions, amounting to 100 barrels, worth, at \$5 per barrel.....	500.00
1 acre of tomatoes, amounting to 100 tubs, worth, at \$1 per tub.....	100.00
6 acres of Irish potatoes, amounting to 300 bushels, worth, at \$1.50 per bushel.....	450.00
1 acre of sweet potatoes, worth.....	75.00
The total loss aggregates.....	1,414.94

The court upon the evidence, and after considering the briefs and arguments of counsel on both sides, makes the following

#### FINDING OF FACTS:

There was taken from the claimant's decedent, in Jefferson County, State of Kentucky, during the war of the rebellion, by the military forces of the United States, for the use of the Army, property of the kind and character above described, which was then and there reasonably worth the sum of one hundred and sixty dollars (\$160), which is allowed for fencing, lumber, and posts. No payment appears to have been made therefor.

The evidence establishes to the satisfaction of the court that there was a taking of some of the property set forth and described in the petition from the claimant, to wit, onions, tomatoes, and potatoes, by soldiers of the United States encamped in the vicinity of Louisville, Kentucky, but none of said property was taken by authority, and none of it was used in hospitals, and whatever taking there was by the said troops was the result of depredation.

By THE COURT.

Filed December 14, 1903.

A true copy:

Test this 30th day of December, 1903.

[SEAL.]

JOHN RANDOLPH,  
Assistant Clerk Court of Claims.